

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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PHILLIP N. BURGESS, *et al.*,

Plaintiffs,

vs.

LEONARD A. BENNET, *et al.*,

Defendants.

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Civil Action No.: 20-7103 (FLW)

**ORDER**

**THIS MATTER** having been opened to the Court by Michael P. Chipko, Esq., counsel for defendants Leonard A. Bennett, Consumer Litigation Associates, P.C.; Kristi Cahoon Kelly; Kelly Guzzo, PLC; Jacob M. Polakoff; and Berger Montague PC (collectively, “Defendants”), on a Motion to dismiss the Complaint filed by plaintiffs Philip N. Burgess, Jr., Michelle Burgess, Alexandria Burgess, Minor 1, Minor 2, and Minor 3; and MicroBilt Corporation, pursuant to Federal Rules of Civil Procedure 12(b)(2) and (6); it appearing that Plaintiffs, through their counsel, Gerald Krovatin, Esq., oppose the motion; it further appearing that Plaintiffs have also filed a motion for leave to file an amended complaint, seeking to add proposed plaintiffs Princeton Alternative Funding, LLC; Princeton Alternative Income Fund, L.P.; Alonzo Primus; and LJP Consulting, LLC, and additional claims; it appearing that Defendants oppose the motion for leave to amend; the Court having considered the submissions of the parties without oral argument, pursuant to Fed. R. Civ. P. 78; for the reasons set forth in the Opinion filed on this date, and for good cause shown,

**IT IS** on this 19<sup>th</sup> day of March, 2021,

**ORDERED** that Defendants' Motion to Dismiss is **GRANTED** and Plaintiffs' Complaint is dismissed; and it is further

**ORDERED** that Plaintiffs' motion for leave to file an amended complaint [ECF Nos 18, 23] is **DENIED**; and it is further ordered

that Plaintiffs are permitted to file a new motion for leave to file an amended complaint before the Magistrate Judge within thirty (30) days of this Order, consistent with the Opinion filed on this date; and it is further

**ORDERED** that if Plaintiffs do not file a motion for leave to amend within the permitted time frame, the Clerk of Court is directed to close this case.

/s/ Freda L. Wolfson  
Freda L. Wolfson  
U.S. Chief District Judge